



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SUBJECT: NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

PROJECT TITLE: PROPOSED AMENDED RULE 1401 - NEW SOURCE REVIEW OF TOXIC AIR CONTAMINANTS

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the South Coast Air Quality Management District (SCAQMD) is the Lead Agency and has prepared a Notice of Exemption for the project identified above.

SCAQMD staff has reviewed the proposed amendments to Rule 1401 – New Source Review of Toxic Air Contaminants pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA.

SCAQMD staff has determined that it can be seen with certainty that there is no possibility that the proposed amendments to Rule 1401 may have a significant adverse effect on the environment. Therefore, the project is considered to be exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Activities Covered by General Rule. A Notice of Exemption has been prepared pursuant to CEQA Guidelines Section 15062 - Notice of Exemption. If the proposed project is approved, the Notice of Exemption will be filed with the county clerks of Los Angeles, Orange, Riverside and San Bernardino counties.

Any questions regarding this Notice of Exemption should be sent to Sam Wang (c/o Planning, Rule Development and Area Sources) at the above address. Mr. Wang can also be reached at (909) 396-2649. Ms. Kalam Cheung is also available at (909) 396-3281 to answer any questions regarding the proposed amended rule.

Date: August 11, 2017

Signature:

A handwritten signature in black ink, appearing to read "Barbara Radlein".

Barbara Radlein
Program Supervisor, CEQA Section
Planning, Rules, and Area Sources

NOTICE OF EXEMPTION

To: County Clerks Counties of Los Angeles, Orange, Riverside and San Bernardino	From: South Coast Air Quality Management District 21865 Copley Drive Diamond Bar, CA 91765
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Project Title: Proposed Amended Rule (PAR) 1401 - New Source Review of Toxic Air Contaminants

Project Location: The SCAQMD has jurisdiction over the four-county South Coast Air Basin (all of Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties), and the Riverside County portions of the Salton Sea Air Basin (SSAB) and Mojave Desert Air Basin (MDAB). The SCAQMD's jurisdiction includes the federal nonattainment area known as the Coachella Valley Planning Area, which is a sub-region of Riverside County and the SSAB.

Description of Nature, Purpose, and Beneficiaries of Project:

In 2015, the SCAQMD's Governing Board amended Rule 1401 and approved the corresponding SCAQMD Risk Assessment Procedures (Version 7.0) which incorporated the use of the 2015 Office of Environmental Health Hazard Assessment (OEHHA) Risk Assessment Guidelines (2015 OEHHA Guidelines) when estimating health risks. However, two source categories, spray booths and gasoline dispensing facilities, were excluded from the 2015 amendments to Rule 1401 to allow staff additional time to evaluate the potential permitting impacts of using the 2015 OEHHA Guidelines to estimate health risks for these source categories per the requirements in Rule 1401 subparagraphs (e)(3)(A) and (e)(3)(B). PAR 1401 is proposing to remove the exemption and require spray booths and gasoline dispensing facilities to begin using the proposed SCAQMD Risk Assessment Procedures (Version 8.1), which incorporates: 1) 2015 OEHHA Guidelines; 2) revised gasoline dispensing emission factors and speciation profiles; and 3) current air dispersion model (AERMOD) and updated meteorological data. Additionally, PAR 1401 will update the list of toxic air contaminants in Table I of Rule 1401 to be consistent with the current list used by OEHHA.

Public Agency Approving Project:

South Coast Air Quality Management District

Agency Carrying Out Project:

South Coast Air Quality Management District

Exempt Status:

CEQA Guidelines Section 15061(b)(3) – Activities Covered by General Rule

Reasons why project is exempt: SCAQMD staff has reviewed PAR 1401 pursuant to: 1) CEQA Guidelines Section 15002(k) – General Concepts, the three-step process for deciding which document to prepare for a project subject to CEQA; and 2) CEQA Guidelines Section 15061 – Review for Exemption, procedures for determining if a project is exempt from CEQA. To comply with PAR 1401 requirements, new and modified spray booths would require more efficient filters to control emissions and new and modified gasoline dispensing facilities may either comply by requesting a lower throughput, or by increasing the distance to the nearest residential receptor, or by conducting a Tier 3 or Tier 4 analysis. In any event, there would be no physical change to gasoline dispensing facilities and very minimal physical change to spray booths due to implementing PAR 1401. Therefore, SCAQMD staff has determined that it can be seen with certainty that there is no possibility that PAR 1401 may have a significant adverse effect on the environment. Thus, PAR 1401 is considered to be exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) – Activities Covered by General Rule.

Date When Project Will Be Considered for Approval (subject to change):

SCAQMD Governing Board Hearing: September 1, 2017; SCAQMD Headquarters

CEQA Contact Person:	Phone Number:	Email:	Fax:
Mr. Sam Wang	(909) 396-2649	swang1@aqmd.gov	(909) 396-3982

Rules Contact Person:	Phone Number:	Email:	Fax:
Ms. Kalam Cheung	(909) 396-3281	kcheung@aqmd.gov	(909) 396-3324

Date Received for Filing: _____ **Signature:** _____ *(Signed Upon Board Approval)*

Barbara Radlein
Program Supervisor, CEQA Section
Planning, Rule Development & Area Sources